

Amendments to the Drawings:

The attached replacement sheets 2/19, 4/19, 8/19, 9/19, 14/19 and 19/19 replace the existing sheets 2/19, 4/19, 8/19, 9/19, 14/19 and 19/19 of the drawings in the application. Reference numeral 59 has been added to Fig. 2 of the replacement sheet 2/19. Reference numerals 14 and 17 have been respectively changed to 14' and 17' in Fig. 7 of the replacement sheet 4/19. In addition, reference numerals 14 and 18 have been respectively changed to 14'' and 18'' in Fig. 8 of the replacement sheet 4/9. In Fig. 12 of the replacement sheet 8/19, reference numeral 12'' has been added and reference numerals 14 and 17 have been respectively changed to 14'' and 17''. In Fig. 13 of the replacement sheet 9/19, reference numerals 12 and 14 have been respectively changed to 12''' and 14'''. Reference numeral 10 has been changed to 10' in Fig. 18 of the replacement sheet 14/19. Finally, reference numeral 56 has been added to Fig. 24 of the replacement sheet 19/19. No new matter has been added.

Attachment: Replacement Sheets 2/19, 4/19, 8/19, 9/19, 14/19 and 19/19

REMARKS/ARGUMENTS

The Office Action dated March 23, 2007 has been carefully considered. Claims 10-18 are pending in the application, with claim 10 being the only independent claim. Claims 10-18 have been amended. Reconsideration of the application, as amended herein and in view of the following remarks, is respectfully requested.

Information Disclosure Statement

The Examiner is respectfully requested to consider the enclosed Information Disclosure Statement.

Priority Document

Applicant claims foreign priority based on German Application No. 102 57 582.7, filed on March 16, 2005. It is alleged that applicant has not submitted a certified copy of that German application.

Applicant respectfully disagrees.

This application is a U.S. national phase filing of International Application No. PCT/EP03/013872. As indicated in the enclosed copy of Form PCT/IB/304, the International Bureau acknowledged receipt of a certified copy of German Application No. 102 57 582.7 on March 22, 2005. The PTO should have requested a copy of such certified copy from the International Bureau, and the International Bureau should have transmitted such a copy to the PTO (see MPEP 1893.03(c)(III)).

Under the circumstances, the Examiner is respectfully requested to acknowledge receipt of such a copy based on receipt by the International Bureau.

Objections to the Drawings and the Disclosure

The drawings and the disclosure stand objected to because of a number of informalities therein.

Applicant has amended the drawings and the specification to address the informalities identified in the Office Action. In view of these self-explanatory amendments, withdrawal of the objection to the drawings and withdrawal of the objection to the disclosure are respectfully requested.

Rejection under 35 U.S.C. 112, Second Paragraph

Claims 10-18 stand rejected under 35 U.S.C. 112, second paragraph, because of a number of alleged informalities in claims 10, 11, 12 and 18.

Claims 10, 11, 12 and 18 have been amended to address the informalities identified in the Office Action. In view of these self-explanatory amendments, withdrawal of the rejection under 35 U.S.C. 112, second paragraph, of claims 10-18 is respectfully requested.

Rejection of the Claims over Prior Art

Claims 10-12, 17 and 18 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,876,765 (*Karita*).

Claims 13, 14 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Karita* in view of U.S. Patent No. 3,105,272 (*Tucker*).

Claims 13-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Karita* in view of U.S. Patent No. 5,070,575 (*Redman*).

Allowability of Claim 10

Independent claim 10 has been amended to recite that the stator arrangement and the magnets form a linear drive for the door leaf. Support for this amendment can be found in Fig. 1 and paragraphs [0019] and [0042] of the specification.

Amended claim 10 now recites, *inter alia*, the following:

“a plurality of permanent magnets fixed to said guide carriage so that the guide carriage can be suspended by magnetic forces between said stator arrangement and said magnets, said stator arrangement and said magnets forming a linear drive for the door leaf” (emphasis added).

Applicant respectfully submits that amended claim 10 is not anticipated by *Karita* because *Karita* fails to disclose, either expressly or inherently, each and every element as set forth in amended claim 10. In particular, *Karita* fails to disclose or teach the above-quoted limitations of amended claim 10.

Karita relates to a door movable between a closed position and an open position with respect to a stationary structure, and a support device for supporting the door (see the Abstract of *Karita*). The Examiner relies on the teaching of the first embodiment of *Karita* when rejecting claim 10. In that embodiment, the door 101 is attached to a plate member 114 which is in turn movably supported on an elongated guide member 105 by rollers 121. The guide member 105 is made of a magnetic material. Two permanent magnets 131, 132 are mounted on the plate member 114, facing the guide member 105. The permanent magnets 131 and 132 produce magnetic attractive forces exerted on the guide member 105 to support at least part of the weight of the door 101. Coils 147 are mounted on the plate member 114. A plate member 141 of a non-magnetic conductive material is mounted on the guide member 105, facing the coils 147. When energized, the coils 147 cooperate with the plate member 141 to form a linear motor for the door 101. See Figs. 4 and 5; col. 3, line 64 to col. 4, line 15; and col. 3, lines 16-45 of *Karita*.

In other words, in the first embodiment of *Karita*, on one hand, the permanent magnets 131, 132 and the guide member 105 (made of a magnetic material) form a suspension mechanism for the door 101; on the other hand, the coils 147 and the plate member 141 (made of a non-magnetic conductive material) form a linear drive for the door 101. Thus, in *Karita* there is no teaching or suggestion of using a single combination of a stator arrangement and magnets to form both, a suspension mechanism and a linear drive for the door. Therefore, *Karita* fails to disclose or teach the limitations “a plurality of permanent magnets fixed to said guide carriage so that the guide carriage can be suspended by magnetic forces between said stator arrangement and said magnets, said stator arrangement and said magnets forming a linear drive for the door leaf” of amended claim 10 of the present application.

In view of these differences, withdrawal of the 35 U.S.C. 102(b) rejection of claim 10 is respectfully requested.

Using a single combination of a stator arrangement and magnets to form both a suspension mechanism and a linear drive simplifies the structure and reduces the costs of the linear drive arrangement. Thus, applicant respectfully submits that the above-discussed fundamental differences between amended claim 10 and *Karita* clearly and patentably distinguish amended claim 24 thereover under 35 U.S.C. 103(a).

Allowability of Claims 11-18

Dependent claims 11-18 are allowable for at least the same reasons that independent claim 10 is allowable, as well as for the additional limitations recited therein.

In particular, it is noted that in *Karita*, the rollers 121 roll on the guide member 105 during the entire movement of the plate member 114/the door 101. Therefore, contrary to the Examiner’s interpretation, *Karita* fails to disclose or teach the limitations “wherein the at least one supporting

roller rolls on the guide track only as movement of the guide carriage begins and ends" of claim 18.

Conclusion

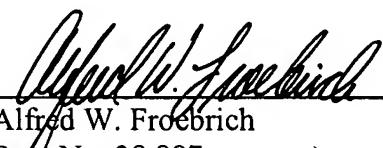
In view of the foregoing, the application is now deemed to be in condition for allowance and notice to that effect is respectfully solicited.

It is believed that no fees or charges are required at this time in connection with the application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN PONTANI LIEBERMAN & PAVANE LLP

By


Alfred W. Froebrich

Reg. No. 38,887

561 Fifth Avenue, Suite 1210

New York, New York 10176

(212) 687-2770

Dated: June 25, 2007